

House of Representatives, April 8, 1998. The Committee on Judiciary reported through REP. LAWLOR, 99th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING HANDGUN SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 29-33 of
2 the general statutes is repealed and the following
3 is substituted in lieu thereof:

4 (c) NO PERSON, FIRM OR CORPORATION SHALL
5 SELL, DELIVER OR OTHERWISE TRANSFER ANY PISTOL OR
6 REVOLVER UNLESS SUCH PISTOL OR REVOLVER IS
7 EQUIPPED WITH A REUSABLE TRIGGER LOCK, GUN LOCK OR
8 GUN LOCKING DEVICE APPROPRIATE FOR SUCH PISTOL OR
9 REVOLVER THAT MEETS OR EXCEEDS STANDARDS
10 ESTABLISHED BY THE DEPARTMENT OF PUBLIC SAFETY.
11 When any pistol or revolver is sold, delivered or
12 otherwise transferred, such pistol or revolver
13 shall be enclosed in a package, the paper or
14 wrapping of which shall be securely fastened, and
15 no pistol or revolver when sold, delivered or
16 otherwise transferred shall be loaded or contain
17 therein any gunpowder or other explosive or any
18 bullet, ball or shell.

19 Sec. 2. Subsection (a) of section 29-37b of
20 the general statutes is repealed and the following
21 is substituted in lieu thereof:

22 (a) Each person, firm or corporation which
23 engages in the retail sale of any firearm, as

24 defined in section 53a-3, at the time of sale of
25 any such firearm, shall provide to the purchaser
26 thereof (1) a REUSABLE trigger lock, gun lock or
27 gun locking device appropriate for such firearm
28 THAT MEETS OR EXCEEDS STANDARDS ESTABLISHED BY THE
29 DEPARTMENT OF PUBLIC SAFETY, and (2) a written
30 warning which shall state in block letters not
31 less than one inch in height: "UNLAWFUL STORAGE OF
32 A LOADED FIREARM MAY RESULT IN IMPRISONMENT OR
33 FINE."

34 Sec. 3. (NEW) (a) Whenever a law enforcement
35 agency seizes a firearm in connection with a
36 criminal arrest or pursuant to a search warrant
37 without an arrest or otherwise recovers a firearm,
38 such agency shall forthwith take all appropriate
39 steps to identify and trace the history of such
40 firearm.

41 (b) In complying with the provisions of
42 subsection (a) of this section, a law enforcement
43 agency shall use the National Tracing Center of
44 the Federal Bureau of Alcohol, Tobacco and
45 Firearms. Such law enforcement agency shall
46 immediately transmit to the National Tracing
47 Center, by facsimile or by entering such
48 information on the Connecticut On-Line Law
49 Enforcement Communications Teleprocessing
50 (COLLECT) System when said system becomes
51 available for transmitting such information
52 directly to the National Tracing Center, all
53 information necessary to comply with the
54 provisions of subsection (a) of this section.

55 (c) The Department of Public Safety shall
56 take appropriate action to allow the COLLECT
57 System to be used by law enforcement agencies in
58 complying with the provisions of this section.

59 Sec. 4. Subsection (a) of section 29-30 of
60 the general statutes is repealed and the following
61 is substituted in lieu thereof:

62 (a) The fee for each permit originally issued
63 under the provisions of subsection (a) of section
64 29-28, AS AMENDED BY THIS ACT, for the sale at
65 retail of pistols and revolvers shall be one
66 hundred dollars and for each renewal thereof one
67 hundred dollars. The fee for each permit
68 originally issued under the provisions of
69 subsection (b) of section 29-28, AS AMENDED BY
70 THIS ACT, for the carrying of pistols and
71 revolvers shall be thirty-five dollars, PLUS A FEE

72 NOT TO EXCEED THE FEE CHARGED BY THE FEDERAL
73 BUREAU OF INVESTIGATION FOR PERFORMING A NATIONAL
74 CRIMINAL HISTORY RECORDS CHECK OF THE APPLICANT
75 REQUESTED PURSUANT TO SECTION 29-29, AS AMENDED BY
76 THIS ACT, and for each renewal thereof thirty-five
77 dollars. Such fees shall be paid to the authority
78 issuing the same and by him to the municipality
79 wherein issued or the state, as the case may be.
80 Upon deposit of such fees in the General Fund, ten
81 dollars of each fee shall be credited within
82 thirty days to the appropriation to the Department
83 of Public Safety to a separate nonlapsing account
84 for the purposes of the issuance of permits under
85 subsections (a) and (b) of section 29-28, AS
86 AMENDED BY THIS ACT.

87 Sec. 5. Section 29-29 of the general statutes
88 is repealed and the following is substituted in
89 lieu thereof:

90 No permit for carrying any pistol or revolver
91 shall be issued under the provisions of section
92 29-28, AS AMENDED BY THIS ACT, unless the
93 applicant for the same gives to the issuing
94 authority, upon its request, full information
95 concerning his criminal record, and such issuing
96 authority shall thereupon take a full description
97 and the fingerprints of such applicant and make an
98 investigation concerning his suitability to carry
99 any such weapons. The issuing authority shall
100 record the date the fingerprints were taken in the
101 applicant's file and, within five business days of
102 such date, [if deemed necessary, may] SHALL
103 forward such fingerprints to the Federal Bureau of
104 Investigation for a national criminal history
105 records check. [If the applicant's fingerprints
106 are submitted to the Federal Bureau of
107 Investigation for such records check, the] THE
108 issuing authority may, in his discretion, issue
109 such permit before a report from said bureau
110 relative to such applicant's record has been
111 received. Upon receipt of such report, the issuing
112 authority shall inform the applicant and render a
113 decision on the application within one week of the
114 receipt of the report. If such report has not been
115 received within eight weeks after a sufficient
116 application for a permit has been made, the
117 issuing authority shall inform the applicant of
118 such delay, in writing. No permit shall be issued

119 if the issuing authority has reason to believe the
120 applicant has ever been convicted of a felony.

121 Sec. 6. Section 29-28 of the general statutes
122 is repealed and the following is substituted in
123 lieu thereof:

124 (a) No person who sells ten or more pistols
125 or revolvers in a calendar year or is a
126 federally-licensed firearm dealer shall advertise,
127 sell, deliver, or offer or expose for sale or
128 delivery, or have in his possession with intent to
129 sell or deliver, any pistol or revolver at retail
130 without having a permit therefor issued as
131 hereinafter provided. The chief of police or,
132 where there is no chief of police, the warden of
133 the borough or the first selectman of the town, as
134 the case may be, may, upon the application of any
135 person, issue a permit in such form as may be
136 prescribed by the Commissioner of Public Safety
137 for the sale at retail of pistols and revolvers
138 within the jurisdiction of the authority issuing
139 such permit. No permit for the sale at retail of
140 any pistol or revolver shall be issued unless the
141 applicant holds a valid eligibility certificate
142 for a pistol or revolver issued pursuant to
143 section 29-36f or a valid permit to carry a pistol
144 or revolver issued pursuant to subsection (b) of
145 this section and the applicant submits
146 documentation sufficient to establish that local
147 zoning requirements have been met for the location
148 where the sale is to take place except that any
149 person selling or exchanging a pistol or revolver
150 for the enhancement of a personal collection or
151 for a hobby or who sells all or part of his
152 personal collection of pistols or revolvers shall
153 not be required to submit such documentation for
154 the location where the sale or exchange is to take
155 place.

156 (b) Upon the application of any person having
157 a bona fide residence or place of business within
158 the jurisdiction of any such authority or upon the
159 application of any bona fide resident of the
160 United States having a permit or license to carry
161 any firearm issued by the authority of any state
162 or subdivision of the United States, such chief of
163 police, warden or selectman may issue a permit to
164 such person to carry a pistol or revolver within
165 the jurisdiction of the authority issuing the
166 same, provided such authority shall find that such

167 applicant intends to make no use of any pistol or
168 revolver which he may be permitted to carry
169 thereunder other than a lawful use and that such
170 person is a suitable person to receive such
171 permit. No permit to carry a pistol or revolver
172 shall be issued under this subsection if the
173 applicant (1) has failed to successfully complete
174 a course approved by the Commissioner of Public
175 Safety in the safety and use of pistols and
176 revolvers including, but not limited to, a safety
177 or training course in the use of pistols and
178 revolvers available to the public offered by a law
179 enforcement agency, a private or public
180 educational institution or a firearms training
181 school, utilizing instructors certified by the
182 National Rifle Association or the Department of
183 Environmental Protection and a safety or training
184 course in the use of pistols or revolvers
185 conducted by an instructor certified by the state
186 or the National Rifle Association, (2) has been
187 convicted of a felony or of a violation of
188 subsection (c) of section 21a-279, section 53a-58,
189 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175,
190 53a-176, 53a-178 or 53a-181d, (3) has been
191 discharged from custody within the preceding
192 twenty years after having been found not guilty of
193 a crime by reason of mental disease or defect
194 pursuant to section 53a-13, (4) has been confined
195 in a hospital for mental illness, as defined in
196 section 17a-495, within the preceding twelve

215 shall be retained by said commissioner, and the
216 local authority issuing any such permit shall
217 forthwith deliver one of such copies to the person
218 to whom issued and one copy to said commissioner
219 and shall retain one of such copies. The copy of
220 the state permit delivered to the permittee shall
221 be laminated and shall contain a full-face
222 photograph of such permittee. A person holding a
223 permit issued pursuant to this subsection shall
224 notify the issuing authority within two business
225 days of any change of his address. The
226 notification shall include his old address and his
227 new address.

228 (c) No issuing authority may require any
229 sworn member of the Department of Public Safety or
230 an organized local police department to furnish
231 his residence address in a permit application. The
232 issuing authority shall allow each such sworn
233 member who has a permit to carry a pistol or
234 revolver on May 26, 1992, issued by such
235 authority, to revise his application to include
236 his business or post office address in lieu of his
237 residence address. The issuing authority shall
238 notify each such member of his right to revise
239 such application.

240 [(d) Notwithstanding the provisions of
241 sections 1-19 and 1-19a, the name and address of a
242 person issued a permit to sell at retail pistols
243 and revolvers pursuant to subsection (a) of this
244 section or a permit to carry pistols and revolvers
245 pursuant to subsection (b) of this section, shall
246 be confidential and shall not be disclosed, except
247 (1) such information may be disclosed to law
248 enforcement officials acting in the performance of
249 their duties and (2) an issuing authority may
250 disclose such information to the extent necessary
251 to comply with a request made pursuant to section
252 29-33 for verification that such permit is still
253 valid and has not been suspended or revoked.]

254 (d) THE ISSUANCE OF A PERMIT TO CARRY A
255 PISTOL OR REVOLVER UNDER SUBSECTION (b) OF THIS
256 SECTION DOES NOT THEREBY AUTHORIZE THE POSSESSION
257 OR CARRYING OF A PISTOL OR REVOLVER IN ANY
258 PREMISES WHERE THE POSSESSION OR CARRYING OF A
259 PISTOL OR REVOLVER IS OTHERWISE PROHIBITED BY LAW
260 OR IS PROHIBITED BY THE PERSON WHO OWNS OR
261 EXERCISES CONTROL OVER SUCH PREMISES.

262 Sec. 7. Subsection (a) of section 53-202d of
263 the general statutes is repealed and the following
264 is substituted in lieu thereof:

265 (a) Any person who lawfully possesses an
266 assault weapon, as defined in section 53-202a,
267 prior to October 1, 1993, shall apply by October
268 1, 1994, or, if such person is a member of the
269 military or naval forces of this state or of the
270 United States and is unable to apply by October 1,
271 1994, because he or she is or was on official duty
272 outside of this state, shall apply within ninety
273 days of returning to the state to the Department
274 of Public Safety, for a certificate of possession
275 with respect to such assault weapon. The
276 certificate shall contain a description of the
277 firearm that identifies it uniquely, including all
278 identification marks, the full name, address, date
279 of birth and thumbprint of the owner, and any
280 other information as the department may deem
281 appropriate. The department shall adopt
282 regulations in accordance with the provisions of
283 chapter 54 not later than January 1, 1994, to
284 establish procedures with respect to the
285 application for and issuance of certificates of
286 possession pursuant to this section.
287 [Notwithstanding the provisions of sections 1-19
288 and 1-19a, the name and address of a person issued
289 a certificate of possession shall be confidential
290 and shall not be disclosed, except such records
291 may be disclosed to law enforcement agencies.]

292 Sec. 8. Section 53-206 of the general
293 statutes is repealed and the following is
294 substituted in lieu thereof:

295 [(a)] Any person who carries upon his person
296 any [slung shot, air rifle, BB. gun,] blackjack,
297 [sand bag,] metal or brass knuckles, or any dirk
298 knife, or any switch knife, or any knife having an
299 automatic spring release device by which a blade
300 is released from the handle, having a blade of
301 over one and one-half inches in length, or
302 stiletto, or any knife the edged portion of the
303 blade of which is four inches or over in length,
304 or any martial arts weapon or electronic defense
305 weapon, as defined in section 53a-3, or any other
306 dangerous or deadly weapon or instrument, [unless
307 such person has been granted a written permit
308 issued and signed by the first selectman of a
309 town, the mayor or chief of police of a city or

310 the warden of a borough, authorizing such person
311 to carry such weapon or instrument within such
312 town, city or borough,] shall be fined not more
313 than five hundred dollars or imprisoned not more
314 than three years or both. [No permit shall be
315 issued to any applicant who has ever been
316 convicted of a felony. The issuing authority may
317 request the applicant's fingerprints and full
318 information concerning his criminal record and
319 make an investigation concerning the suitability
320 of the applicant to carry any such weapon. Refusal
321 of fingerprinting by the applicant shall be
322 sufficient cause to refuse issuance of a permit.]
323 Whenever any person is found guilty of a violation
324 of this [subsection] SECTION, any weapon or other
325 [implement] INSTRUMENT within the provisions
326 [hereof] OF THIS SECTION, found upon the body of
327 such person, shall be forfeited to the
328 municipality wherein such person was apprehended,
329 notwithstanding any failure of the judgment of
330 conviction to expressly impose such forfeiture.
331 [Any person who has been granted a permit to carry
332 any martial arts weapon pursuant to this section
333 may carry such weapon anywhere within the state.]
334 The provisions of this [subsection] SECTION shall
335 not apply to any officer charged with the
336 preservation of the public peace, [nor to] any
337 person who is found with any such weapon or
338 [implement] INSTRUMENT concealed upon his person
339 while lawfully removing his household goods or
340 effects from one place to another, or from one
341 residence to another, [nor to] any person while
342 actually and peaceably engaged in carrying any
343 such weapon or [implement] INSTRUMENT from his
344 place of abode or business to a place or person
345 where or by whom such weapon or [implement]
346 INSTRUMENT is to be repaired, or while actually
347 and peaceably returning to his place of abode or
348 business with such weapon or [implement]
349 INSTRUMENT after the same has been repaired, ANY
350 PERSON HOLDING A VALID HUNTING, FISHING OR
351 TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490
352 CARRYING A KNIFE, THE EDGED PORTION OF THE BLADE
353 OF WHICH IS FOUR INCHES OR OVER IN LENGTH, WHILE
354 ENGAGED IN LAWFUL HUNTING, FISHING OR TRAPPING
355 ACTIVITIES OR TRAVELING TO OR FROM SUCH
356 ACTIVITIES, OR ANY PERSON ENROLLED IN AND
357 CURRENTLY ATTENDING A MARTIAL ARTS SCHOOL, WITH

358 OFFICIAL VERIFICATION OF SUCH ENROLMENT AND
359 ATTENDANCE, CARRYING ANY SUCH MARTIAL ARTS WEAPON
360 UPON HIS PERSON WHILE TRAVELING TO OR FROM SUCH
361 SCHOOL.

362 [(b) Any person who sells to another a slung
363 shot, air rifle, BB. gun, blackjack, sand bag,
364 metal or brass knuckles, or any dirk knife, or any
365 switch knife, or any knife having an automatic
366 spring release device by which the blade is
367 released from the handle, having a blade of over
368 one and one-half inches in length, or stiletto, or
369 any martial arts weapon or electronic defense
370 weapon, as defined in section 53a-3, shall, within
371 twenty-four hours after the delivery of such
372 weapon or implement to the person to whom sold,
373 give written notice of such sale or delivery,
374 specifying the article sold and the name and
375 address of the person to whom sold or delivered,
376 to the chief of police of the city, the warden of
377 the borough or the first selectman of the town,
378 within which such weapon or implement is sold or
379 delivered, as the case may be. Any person who
380 violates any provision of this subsection shall be
381 fined not more than one hundred dollars.]

382 Sec. 9. Subsection (b) of section 29-32b of
383 the general statutes is repealed and the following
384 is substituted in lieu thereof:

385 (b) Any person aggrieved by any refusal to
386 issue or renew a permit or certificate under the
387 provisions of section 29-28, AS AMENDED BY THIS
388 ACT, OR SECTION 29-36f, [or 53-206,] or by any
389 limitation or revocation of a permit or
390 certificate issued under any of said sections, or
391 by a refusal or failure [or] OF any issuing
392 authority to furnish an application as provided in
393 section 29-28a, [or section 53-206a,] may, within
394 ninety days after receipt of notice of such
395 refusal, limitation or revocation, or refusal or
396 failure to supply an application as provided in
397 section 29-28a, [or section 53-206a,] and without
398 prejudice to any other course of action open to
399 him in law or in equity, appeal to the board. On
400 such appeal the board shall inquire into and
401 determine the facts, de novo, and unless it finds
402 that such a refusal, limitation or revocation, or
403 such refusal or failure to supply an application,
404 as the case may be, would be for just and proper
405 cause, it shall order such permit or certificate

406 to be issued, renewed or restored, or the
407 limitation removed or modified, as the case may
408 be. If the refusal was for failure to document
409 compliance with local zoning requirements, under
410 subsection (a) of section 29-28, AS AMENDED BY
411 THIS ACT, the board shall not issue a permit.

412 Sec. 10. Section 29-38 of the general
413 statutes is repealed and the following is
414 substituted in lieu thereof:

415 Any person who knowingly has, in any vehicle
416 owned, operated or occupied by him, any weapon,
417 ANY PISTOL OR REVOLVER for which a proper permit
418 has not been issued as provided in section 29-28,
419 AS AMENDED BY THIS ACT, [or section 53-206, or has
420 not registered such weapon] OR ANY MACHINE GUN
421 WHICH HAS NOT BEEN REGISTERED as required by
422 section 53-202, [as the case may be,] shall be
423 fined not more than one thousand dollars or
424 imprisoned not more than five years or both, and
425 the presence of any such weapon, PISTOL OR
426 REVOLVER OR MACHINE GUN in any vehicle shall be
427 prima facie evidence of a violation of this
428 section by the owner, operator and each occupant
429 thereof. The word "weapon", as used in this
430 section, means [any pistol or revolver,] any dirk
431 knife or switch knife or any knife having an
432 automatic spring release device by which a blade
433 is released from the handle, having a blade of
434 over one and one-half inches in length, and any
435 other dangerous or deadly weapon or instrument,
436 including any [slung shot, black jack, sand bag]
437 BLACKJACK, metal or brass knuckles, stiletto,
438 knife, the edged portion of the blade of which is
439 four inches or over in length or martial arts
440 weapon as defined in section 53a-3. The provisions
441 of this section shall not apply to ANY OFFICER
442 CHARGED WITH THE PRESERVATION OF THE PUBLIC PEACE,
443 ANY PERSON WHILE LAWFULLY REMOVING HIS HOUSEHOLD
444 GOODS OR EFFECTS FROM ONE PLACE TO ANOTHER, OR
445 FROM ONE RESIDENCE TO ANOTHER, ANY PERSON WHILE
446 ACTUALLY AND PEACEABLY ENGAGED IN CARRYING ANY
447 SUCH WEAPON OR INSTRUMENT FROM HIS PLACE OF ABODE
448 OR BUSINESS TO A PLACE OR PERSON WHERE OR BY WHOM
449 SUCH WEAPON OR INSTRUMENT IS TO BE REPAIRED, OR
450 WHILE ACTUALLY AND PEACEABLY RETURNING TO HIS
451 PLACE OF ABODE OR BUSINESS WITH SUCH WEAPON OR
452 INSTRUMENT AFTER THE SAME HAS BEEN REPAIRED, ANY
453 PERSON HOLDING A VALID HUNTING, FISHING OR

454 TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490
455 HAVING A KNIFE, THE EDGED PORTION OF THE BLADE OF
456 WHICH IS FOUR INCHES OR OVER IN LENGTH, IN A
457 VEHICLE WHILE TRAVELING TO AND FROM LAWFUL
458 HUNTING, FISHING OR TRAPPING ACTIVITIES OR any
459 person enrolled in and currently attending a
460 martial arts school, with official verification of
461 such enrolment and attendance, having any such
462 martial arts weapon in a vehicle while traveling
463 to and from such school.

464 Sec. 11. (NEW) Whenever a court of probate
465 involuntarily commits a person to a hospital for
466 psychiatric disabilities pursuant to chapter 319i
467 of the general statutes, it shall notify the
468 Division of State Police of the name of such
469 person.

470 Sec. 12. Section 53-206a of the general
471 statutes is repealed.

472 JUD COMMITTEE VOTE: YEA 40 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5746

STATE IMPACT	Minimal Cost, Can Be Absorbed, see explanation below
MUNICIPAL IMPACT	Minimal Cost, Can Be Absorbed, see explanation below
STATE AGENCY(S)	Department of Public Safety, Probate Courts (Judicial Department)

EXPLANATION OF ESTIMATES:

STATE AND MUNICIPAL IMPACT: The passage of this bill would result in minimal additional costs to the Department of Public Safety (DPS) and to municipalities that could be absorbed within existing resources. The bill makes several changes in the statutes regulating firearms and dangerous weapons. It requires law enforcement agencies to trace and identify all seized firearms. DPS is currently upgrading its Connecticut on Line Law Enforcement Communications Teleprocessing (COLLECT) System, which would be able to provide this information to State and local law enforcement agencies electronically.

The bill requires the Probate Court to notify DPS whenever it commits someone to a psychiatric hospital. There are about 500 such committals per year. DPS is about to release a request for proposals (RFP) for a new Weapons Registration and Possession System (WRAPS), which will have the capacity to include this information. DPS already has funding for the new system, which is estimated to cost between \$300,000 and \$350,000. Information can be provided by the Probate Court at minimal cost.

The bill also requires, rather than allows, a handgun permit applicant's fingerprints to be submitted to the Federal Bureau of Investigation (FBI) for a national criminal history records search. The costs would be covered by the authorization of this additional fee, which is currently \$24. This would result in no fiscal impact.

The bill requires DPS to approve reusable trigger locks or other similar gun safety devices. This would require DPS to undertake a study of such devices, and to adopt regulations, resulting in additional costs that are anticipated to be minimal and absorbable within existing resources.

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OLR BILL ANALYSIS

SHB 5746

AN ACT CONCERNING HANDGUN SAFETY

SUMMARY: This bill makes a number of changes to the statutes regulating firearms and dangerous weapons. It:

1. requires law enforcement agencies to trace and attempt to identify all seized firearms using state and federal resources;
2. requires firearms sold in the state (except long guns sold by nondealers) to come with a reusable trigger lock or similar device;
3. authorizes an additional fee for handgun permits to cover the cost of the national criminal history records check and requires, rather than allows, a person issuing a handgun permit to submit the applicant's fingerprints to the Federal Bureau of Investigation (FBI);
4. makes handgun permit and assault weapon certificate of possession information public information;
5. states that a permit to carry a handgun does not entitle the holder to bring the gun to any place where handgun possession is otherwise

prohibited by law or the owner of the place;
and

6. requires the probate court to notify the State Police whenever it commits someone to a psychiatric hospital.

Finally, the bill (a) makes it illegal for most people to carry dangerous weapons; (b) makes it legal to carry slung shots, air rifles, BB guns, and sand bags; and (c) removes a requirement for anyone selling a dangerous weapon to inform the local police chief, borough warden, or town first selectman of the purchaser's name and address.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION

Tracing and Identifying Seized Firearms

The bill requires any law enforcement agency that seizes a firearm, whether pursuant to an arrest, search warrant, or other means, immediately to attempt to identify it and trace its history. The bill directs the agency to use the Federal Bureau of Alcohol, Tobacco and Firearms' National Tracing Center for this purpose. It can do so by immediately transmitting a facsimile to the center or, when it becomes available, by entering information on the COLLECT system (the Connecticut On-Line Law Enforcement Communications Teleprocessing System). COLLECT is operated by the Department of Public Safety (DPS). The bill requires the department to allow local law enforcement agencies to use COLLECT to comply with these provisions.

Trigger Locks

By law, any retail firearm dealer selling a firearm must provide the purchaser with a trigger lock, gun lock, or appropriate gun locking device. The bill requires that it be reusable and meet or exceed DPS standards. The bill does not require DPS to set these standards or specify whether they be by regulation or some other method.

The bill prohibits any firm or person (nondealer) from selling a handgun without a reusable trigger lock, gun

lock, or other appropriate gun locking device that meets or exceeds DPS standards.

Permit Fees and Fingerprint Transmittal

By law, the fee for an initial permit to carry a handgun is \$35. The bill adds an additional fee in an amount necessary to cover the cost of the national criminal history records check (currently \$24).

It requires, rather than allows, the permit issuing authority, as part of conducting the criminal history check, to forward the applicant's fingerprints to the FBI for a national check. Currently, he may do this if he deems it necessary. The bill continues to allow the authority to issue the permit before receiving the FBI report.

Confidentiality of Certain Firearm Records

Current law exempts from the Freedom of Information (FOI) law, thus making confidential, the names and addresses of people issued permits to sell or carry handguns and certificates of possession for assault weapons. But the law allows the release of such information to law enforcement agents and, in the case of handguns, to people selling them who are required to verify that the permit is still valid. The bill removes the FOI exemption, thus making the names and addresses public information.

Permit to Carry Handgun

The bill specifies that a person who holds a permit to carry a handgun does not have the right to possess or carry it on property where carrying or possessing a handgun is prohibited by law or where the owner or person controlling the property has prohibited it.

Probate Notification

The bill requires any probate court that involuntarily commits someone to a psychiatric hospital to notify the State Police of the person's name. Although the bill does not state the purpose of this notification, the law prohibits the issuance of a handgun carrying permit or eligibility certificate, and requires revocation of an existing one, for anyone who has been confined in a

psychiatric hospital by probate court order during the preceding 12 months. Currently, issuing authorities have no way of getting this information.

Carrying Dangerous Weapons

The bill repeals the law allowing people with a permit to carry certain dangerous weapons and instead makes carrying them illegal. It makes the penalty for carrying a dangerous weapon the same as the current penalty from carrying one without a permit: imprisonment for up to three years, a fine of up to \$500, or both.

The bill removes slung shots, air rifles, BB guns, and sand bags from the list of dangerous weapons, thus allowing anyone to carry them at any time.

The banned weapons are: blackjacks; metal or brass knuckles; dirk knives; switch knives, knives with spring release blades of over one and one-half inches; knives with a blade length of four inches or more; stilettos; martial arts or electronic defense weapons; and any other dangerous or deadly weapon or instrument.

Exceptions to Carrying Requirements

Under current law, the permit requirement to carry dangerous weapons does not apply to law enforcement officers or people (1) carrying such weapons concealed on their person while lawfully moving their household goods from one place to another or (2) peaceably engaged in transporting such weapons to and from a place of repair. The bill exempts people in these situations from the ban on dangerous weapons.

The bill also exempts:

1. martial arts students who carry their martial arts weapons to and from school and who have official verification of enrollment and attendance and
2. people with valid hunting, fishing, or trapping licenses who carry knives with blades of four inches or more while engaged in or travelling to and from such activities.

The bill exempts the same people from the prohibition against having weapons in a motor vehicle. Under current law, only martial arts students are exempt.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 40 Nay 0